

## **Title 13 PUBLIC SERVICES**

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13.08 Gas and Water Mains

13.10 The City of Bridgeport Energy Improvement District and Energy Improvement District Board

### **Chapter 13.04 UTILITIES**

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## **Article I. Introduction**

### **13.04.010 Purpose Procedures.**

A. This chapter establishes the procedures for making connection to the public sewer in the city's sanitary system. It also establishes specific limits for pollutant discharges which by their nature or by their interaction with sewage or the wastewater treatment facility, pollute the waters of the state, or otherwise create a public nuisance.

B. This chapter is intended to:

1. Create a water pollution control authority;

2. Inform the public as to the technical and administrative procedures to be followed in obtaining connection to the city's sanitary sewer system;
3. Prevent the introduction of pollutants into the sanitary sewer system which will interfere with the collection and/or treatment system;
4. Prevent the introduction of pollutants into the treatment system which will pass through the system, inadequately treated, into the waters of the state, or the atmosphere, or otherwise be incompatible with the system;
5. Improve the opportunity to reclaim wastewaters and sludges from the system.

C. This chapter shall apply to the city and to persons outside the city who are users of the public sewer. Except as otherwise provided in this chapter, the general manager of the water pollution control authority shall implement and enforce the provisions of this chapter.

(Ord. dated 4/18/88 (part): prior code § 29-1)

## **Article II.**

### **Water Pollution Control Authority**

#### **13.04.020 Establishment of a water pollution control authority.**

There is created an authority to be designated and known as the water pollution control authority for the city of Bridgeport (referred to in this chapter as the WPCA) pursuant to Chapter 103, Sections 7-245 through 7-273A inclusive of the General Statutes, as amended. The purpose for which the authority is created is to operate the sewage system of the city, to use, equip, re-equip, repair, maintain, supervise, manage, operate and perform any act pertinent to the collection, transportation, treatment and disposal of sewage.

(Ord. dated 4/18/88 (part): prior code § 29-2)

#### **13.04.030 Definitions.**

For the purpose of this chapter, the following words and terms shall have the following meanings:

"Acquire a sewerage system" means the obtaining of title to all or any part of a sewerage system or any interest therein by purchase, condemnation, grant, gift, lease, rental or otherwise.

"Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251, et seq.

"Biochemical oxygen demand (BOD)" means the amount of oxygen required by bacteria while stabilizing decomposable organic matter under aerobic conditions for five days. The determination of BOD shall be performed in accordance with the procedures prescribed in the latest edition of "Standard Methods for the Examination of Water and Wastewater."

"Building drain" means that part of the lowest horizontal piping of a building's plumbing which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

"Building sewer" means the extension from the building drain to the public sewer or other place of disposal. May also be called a house connection.

"Capital costs" means debt service and other related expenditures needed to obtain funds to acquire and construct wastewater treatment facilities.

"Categorical standards" means National Categorical Pretreatment Standards or pretreatment standards.

"City" means the city of Bridgeport or its authorized representative.

"City attorney" means the city attorney of the city.

"City council" means the duly elected legislative body in Bridgeport.

"City engineer" means the city engineer of the city.

"Combined sewer" means a sewer intended to receive both sewage and storm and surface water.

"Commercial user" means any business or establishment which does not meet the definition of residential or industrial user in this chapter, and which is connected to the wastewater treatment facility.

"Commissioner" means the Commissioner of Environmental Protection for the state of Connecticut.

"Compatible pollutant" means biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria; plus, any additional pollutants identified in the wastewater treatment facility's NPDES permit, where the wastewater treatment facility is designed to treat such pollutants, and in fact does treat such pollutants to the degree required by the NPDES permit.

"Composite sample" means a mixture of aliquot samples obtained at regular intervals over a time period. The volume of each aliquot is proportional to the discharge flow rate for the sampling interval. The minimum time period for composite sampling shall be four hours.

"Construct a sewerage system" means the acquisition of land, easements, rights-of-way or any other real or personal property or any interest therein, and the planning, construction, reconstruction, equipping, extension and enlargement of all or any part of a sewerage system.

"Cooling water" means process water in general used for cooling purposes to which the only pollutant added is heat and which has such characteristics that it may be discharged to a natural outlet in accordance with federal and state laws and regulations.

"Customers" means any and all contributors of wastewater to the sewer system, including the city of Bridgeport, the town of Trumbull, the town of Fairfield and the town of Stratford.

"Domestic sewage" means sewage that consists of water and human excretions or other waterborne wastes incidental to the occupancy of a residential building, such as kitchen or laundry facilities.

"Director of finance" means the director of finance of the city.

"Director of health" means the director of health for the city.

"Director of public facilities" means the director of public facilities of the city.

"Drain layer" means any person licensed to install, alter or repair building sewers, house connections or building sewer connections into the public sewer.

"Floatable oil" means oil, fat or grease in a physical state such that it will separate by gravity from sewage by treatment in an approved pretreatment facility.

"Garbage" means the animal or vegetable waste resulting from the handling, preparation, cooking or serving of foods.

"Gas main" means the pipe which conveys natural gas.

"General manager" means the WPCA's chief of operations and maintenance, according to the duties and powers assigned to him/her by the WPCA.

"Grab sample" means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste and without consideration of time.

"Gross revenues" means all revenues of the WPCA, regardless of source, except for federal and state grants.

"Holding tank waste" means any waste from holding tanks such as vessels, chemical toilets, campers,

trailers and septage hauling trucks.

"Incompatible pollutant" means all pollutants other than compatible pollutants as defined in this section.

"Industrial user" means any plant, establishment or industry which discharges industrial wastewater resulting from a process or manufacturing operation into the wastewater treatment facilities, whether or not such wastewater is segregated from or combined with domestic wastewater from the plant, establishment or industry.

"Industrial wastewater" means all wastewater from industrial processes, trade or business, commercial laundry wastewater and blowdown from heating and cooling equipment. (Industrial wastewater is distinct from residential sewage.)

"Institutional user" means that class of users not meeting the definition of residential, commercial or industrial users, and meeting the criteria for nonprofit, tax-exempt status, which are connected to the wastewater treatment facilities.

"May" is permissive (see "Shall," as defined in this section).

"Mayor" means the chief administrative officer of the city designated by popular election.

"National Pollution Discharge Elimination System (NPDES) permit" means a permit issued pursuant to section 402 of the Act (33 USC 1342).

"Operate a sewerage system" means the owning, using, equipping, re-equipping, repairing, maintaining, supervising, managing, operating and performing of any act pertinent to the collection, transportation and disposal of sewage.

"Operating revenues" means gross revenues other than sewerage system use charges specifically earmarked for the retirement of debt obligations secured solely by such sewerage system use charges. Such revenues are dedicated to fund ongoing operation, maintenance and renewal/replacement costs of the system.

"pH" means the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

"Permittee" or "permit holder" means any person, firm, association, corporation or trust which owns, operates, possesses or controls an establishment or plant being operated under a valid industrial waste permit to discharge wastewater into the city's sanitary sewer system.

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or legal representatives,



agents or assigns. The masculine gender shall include the feminine, and singular shall include the plural, where indicated by context.

"Pretreatment or treatment" means the reduction of the amount of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less detrimental state prior to or in lieu of discharging or otherwise introducing such pollutants into a wastewater treatment facility. The reduction or alteration can be obtained by physical, chemical or biological processes, except as prohibited by Title 40, Code of Federal Regulations, Section 403.6(d).

"Producer" means any person, firm, association, corporation or trust which owns, operates, possesses or controls an establishment or plant, whether or not a permittee.

"Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 cm) in any dimension.

"Public sewer" means a common sewer controlled by a governmental agency or public utility.

"Residential dwelling unit (residential user)" means any property unit or subunit intended to shelter a separate and distinct household (i.e. single-family homes and individual apartment, condominium and duplex units).

"Sanitary sewer" means a sewer which collects and conveys domestic sewage from residences, public buildings, commercial establishments, industries and institutions. It may also collect and convey permitted industrial wastewater.

"Septage" means the liquids and solids which are removed from a tank used to treat domestic sewage.

"Sewage" means human animal excretions and all domestic and such manufacturing wastes as may tend to be detrimental to the public health. Includes any substance, liquid or solid, which may contaminate or pollute or affect the cleanliness or purity of any water.

"Sewage system" means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing or discharging of sewage including, without limitation, the building drain, building sewer, combined sewer, public sewer, sanitary sewer, storm sewer, wastewater treatment facility and water main.

"Sewer staff" means the group of employees engaged by the WPCA to administer, operate and maintain the city's wastewater treatment facility under the supervision of the general manager.

"Sewerage system use charges" means the charges and fees established under this chapter for

discharging wastewater and sewage into the sewerage system.

"Shall" is mandatory (see "May," as defined in this section).

"Slug" means any sudden or excessive discharge which exceeds permitted levels either in terms of pollutant concentration, mass or instantaneous flow rate in such a manner as to adversely affect the sewage collection system and/or the wastewater treatment facility.

"Soluble oil" means oil which is of either mineral or vegetable origin and disperses in water or sewage at temperatures between zero degrees Celsius and sixty-five (65) degrees Celsius. For the purposes of this chapter, emulsified oil shall be considered as soluble oil.

"Storm sewer" means a sewer which collects and conveys stormwater or groundwater.

"Suspended solids" means the solid matter, measured in mg/liter, which may be in suspension, floatable or settleable and is removable by laboratory filtering as prescribed in the latest edition of "Standard Methods for Examination of Water and Wastewater."

"Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of Section 307(a) of the Act or other Acts.

"User" means any person who contributes, causes or permits the contribution of sewage into the city sewer system.

"User charge" means sewerage system use charges.

"Utilities" means the pipes or conduit or the materials these pipes or conduits are intended to carry. Utilities in this chapter are combined sewers, sanitary sewers, storm sewers and water mains.

"WPCA" means the water pollution control authority of the city, as designated by ordinance.

"WPCA capital fund" means the capital fund of the water pollution control authority of the city, established and maintained to account for all revenues and expenditures relating to capital improvement program projects for the wastewater treatment facility.

"WPCA operating fund" means the operating fund of the water pollution control authority of the city, established and maintained to account for all revenues and expenditures relating to the ongoing operation and maintenance, administration and renewal/replacement of major components for the wastewater treatment facility.

Wastewater. See "Sewage," as defined in this section.

"Wastewater treatment facility" means an arrangement of devices for the collection and treatment of sewage and sludge.

"Watercourse" means a natural or artificial channel for the passage of water either continuously or intermittently.

"Water main" means pipe which conveys potable water.

(Ord. dated 12/21/92 §§ 42 45; Ord. dated 4/18/88 (part): prior code § 29-3)

#### **13.04.040 Board of directors.**

A. The board of directors of the WPCA shall consist of nine members. They shall include the city engineer, the city attorney, the director of finance, the director of public facilities and five at-large members appointed by the mayor and approved by the city council. The members of the board shall have the right to vote, with the exception of the city attorney and the director of public facilities, who shall serve ex officio.

B. Any member of the board of directors shall be immune from personal liability to the city, or any person acting on its behalf for any act or commission. The immunity provided in this section shall not apply to acts or commissions constituting wilful or wanton misconduct.

(Ord. dated 12/21/92 § 46; Ord. dated 4/18/88 (part): prior code § 29-4)

#### **13.04.050 Terms of office.**

City officials who are members of the WPCA board of directors shall retain this responsibility throughout their tenure as city officials. At-large members of the WPCA board shall be appointed for terms of three years, except that of those first appointed, one shall be appointed for a term ending December 31, 1989, two for a term ending December 31, 1990 and two for a term ending December 31, 1991.

(Ord. dated 4/18/88 (part): prior code § 29-5)

#### **13.04.060 Officers.**

The officers of the WPCA shall be a chairman and vice-chairman, who shall be members of the WPCA board of directors. Officers shall be elected by the WPCA for one-year terms commencing on the first day of each July.

(Ord. dated 4/18/88 (part): prior code § 29-6)

#### **13.04.070 Action by board.**

Except as the by-laws of the WPCA may permit in emergency situations, the powers of the WPCA shall be exercised by the members of the board of directors at a meeting duly called and held. No action shall be taken except by the affirmative vote of at least four voting board members.

(Ord. dated 4/18/88 (part): prior code § 29-7)

#### **13.04.080 Compensation.**

The directors and officers of the WPCA shall serve without compensation.

(Ord. dated 4/18/88 (part): prior code § 29-8)

#### **13.04.090 Employees.**

The WPCA may employ such persons as it may determine to be necessary or convenient for the performance of its duties and may fix and determine their qualifications, duties and compensation.

(Ord. dated 4/18/88 (part): prior code § 29-9)

#### **13.04.100 Financial interest.**

No director, officer or employee of the WPCA or any corporation, partnership or firm in which such director, officer or employee has a financial interest, direct or indirect, shall do business with the WPCA or have any financial interest, direct or indirect, in any business transacted by the WPCA.

(Ord. dated 4/18/88 (part): prior code § 29-10)

#### **13.04.110 Removal from office.**

Any member of the WPCA board of directors may be removed by the mayor for cause, as provided in Chapter 2, Section 17(a) of the Charter of the City.

(Ord. dated 12/21/92 § 47: Ord. dated 4/18/88 (part): prior code § 29-11)

#### **13.04.120 Organization of sewer staff.**

A. The sewer staff, under the direction of the general manager, shall be responsible for the operation, maintenance and administration of the sewer system. The general manager shall have the responsibility for creating an organization structure which fulfills the requirements of the WPCA. The personnel needs of the sewage system shall be presented annually with the WPCA budget in accordance with procedures established by the WPCA.

B. The general manager shall have the authority to contract for outside services from architects, engineers, lawyers, accountants and other professional consultants as may be necessary, in accordance with procedures established by the WPCA.

(Ord. dated 4/18/88 (part): prior code § 29-12)

#### **13.04.130 Powers.**

In furtherance of the purpose for which it is created, the WPCA may exercise any of the powers granted to such an authority under Chapter 103, Section 7-245 through 7-273(a) of the Connecticut General Statutes.

(Ord. dated 4/18/88 (part): prior code § 29-13)

#### **13.04.140 Limitation of powers.**

The WPCA shall be prohibited from issuing debt of any type, amount or duration on its own behalf.

(Ord. dated 4/18/88 (part): prior code § 29-14)

#### **13.04.150 Issuance of debt by city.**

The common council, at the request of the WPCA or on its own initiative:

A. May authorize the comptroller to issue and sell from time to time, for the acquisition or construction of a sewerage system, bonds, notes or other obligations which are secured as to both principal and interest by: (1) the full faith and credit of the city, (2) a pledge of sewerage system use charges or (3) a pledge of funds to be derived from sewerage system connection or use charges or benefit assessments or both and also by the full faith and credit of the city. The common council shall determine the maximum authorized amount of such bonds, notes or other obligations and may determine, or may authorize an officer or board or commission of the city to determine, the form of such bonds, notes or other obligations and by whom such bonds, notes or other obligations shall be signed or countersigned and, except as otherwise provided in this chapter, all other particulars thereof. The common council or such designee if different, may determine the rate or rates of interest for each issue of bonds, notes or other obligations or may provide that the rate or rates of interest shall be determined by an officer or board or commission of the city or that such officer, board or commission shall provide for the method or manner

of determining such rate or rates or time or times at which interest is payable. Bonds may be coupon or registered bonds. If coupon bonds, they may be registerable as to principal only or as to both principal and interest. Any premium received for sale of bonds, notes or other obligations, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first bonds, notes or other obligations of that particular issue to mature, and contributions from other sources for payment of such bonds, notes or other obligations shall be reduced correspondingly;

B. May authorize the comptroller to issue temporary notes for purposes of financing any capital project related to the sewerage system, and may renew such notes for not more than fifteen (15) years, provided in the first year immediately following completion of such project, or if more than one project is financed by any issue of such notes, in the first year immediately following completion of the last of such projects, or in the sixth year following the date of issue of such notes, whichever is sooner; and in each year thereafter, not less than one-fifteenth of the total of the notes so issued shall be retired using funds derived from the sources of payment set forth in this subsection. Payment of principal and interest on such notes may be secured by a pledge of: (1) the full faith and credit of the city, (2) sewerage system use charges, (3) revenues to be derived from sewerage system connection charges, (4) revenues to be derived from sewerage system benefit assessments, or (5) any other combination of the aforementioned sources of payment. Any temporary notes which are secured by a pledge of the full faith and credit of the city shall be obligatory upon the city and the inhabitants and property thereof according to the tenor and purport of such pledge, whether or not such notes are also secured by one or more additional sources of payment as provided in this subsection. In each year during which such notes secured by a pledge of the full faith and credit of the city are outstanding, the city shall appropriate and there shall be available on or before the date when any principal, interest or mandatory annual retirement payment on such notes is required to be paid, an amount of money which, together with all funds from other sources, is available for such mandatory annual retirement payment on such payment date. There shall be included in the tax levy for each such year an amount which, together with other funds available for such purpose, shall be sufficient to pay such principal, interest or mandatory annual retirement payment on such payment date. There shall be included in the tax levy for each such year an amount which is sufficient to provide for such appropriations. The common council shall determine the maximum authorized amount of such notes to be issued and may determine or may authorize an officer or officers to determine the form of such notes, their date, the provisions for protecting and enforcing the rights and remedies of the holders of such notes and all other terms, conditions and payment of debt service on such notes. The common council further may, at its option, determine the rate or rates of interest for each issue of such notes or may provide that such rate or rates of interest shall be determined subsequently by an officer or officers of the city, which determination may be based upon the receipt of bids to purchase such notes;

C. May authorize the comptroller to borrow temporarily upon credit of the city such sum or sums as may be necessary for acquisition or construction of all or any part of a sewerage system and may issue temporary notes for any such loan, including temporary notes issued in anticipation of the sale of bonds to be secured by the full faith and credit of the city, by the pledge of sewerage system use charges or by both the full faith and credit of the city and the pledge of sewerage system use charges. That portion of the proceeds of the issue of any such temporary notes being issued as part of a common sale, which portion is not used to refund outstanding temporary notes shall be deemed a separate loan and be

considered to have a separate original issue date. Each such portion of any such temporary notes may be renewed for a period of not more than two years, from the date of original issue of such temporary notes, except that any temporary notes issued in anticipation of the sale of bonds to be secured solely by the pledge of sewerage system use charges may be for a period of not more than four years from the date of original issue of such temporary notes. Such temporary note or notes may be renewed from time to time by the issue of other temporary notes, provided the period from the date of original issue of such temporary note or notes to the date of maturity of the last renewal notes shall not be more than two or four years, as the case may be. The interest or discount on such temporary notes, including renewals thereof, and the expense of preparing, issuing and marketing the same, may be included as a cost of acquiring a sewerage system or constructing a sewerage system and may either be borrowed temporarily under the provisions of this section or funded by the issue of serial bonds or notes as provided herein. Temporary notes may be issued in anticipation of proceeds to be derived from the sale of bonds notwithstanding that, at the time of issuing such temporary notes, the city has not actually authorized the issue of such bonds;

D. May authorize the comptroller to issue temporary notes to be paid from anticipated income from sewer assessments and may renew such notes annually for not more than fifteen (15) years;

E. May, by separate ordinance, establish a special fund for payment of all or any part of such bonds or notes or interest thereon, may make and revise necessary rules and regulations, not contrary to this chapter and Chapter 103 of the Connecticut General Statutes (Rev. 1987), for the management of such special fund and may provide for payments into such special fund of all or any part of any charges for connection with, or use of, the sewerage system or from any other source. Funds shall not be withdrawn from such special funds except for such purpose and no vote for agreement shall be altered in respect to funds to be paid into such special fund until such bonds or notes have been paid in full or the special fund is sufficient to do so.

(Ord. dated 4/18/88 (part): prior code § 29-15)

### **13.04.160 Annual audit.**

The WPCA operating and capital funds shall be audited annually by an independent certified public accounting firm selected by the WPCA.

(Ord. dated 4/18/88 (part): prior code § 29-16)

### **13.04.170 Consulting engineer review.**

The WPCA shall have its operations reviewed annually by an independent consulting engineering firm selected by the WPCA, and licensed by the state of Connecticut. The consulting engineer will report to the mayor and city council on such matters that include: the condition of the sewers, treatment plants and other necessary supporting structures of the sewer system; the adequacy of the sewer system capital

improvement program budget; and a schedule of the required repairs/replacements that should be undertaken during the following year.

(Ord. dated 12/21/92 § 48: Ord. dated 4/18/88 (part): prior code § 29-17)

#### **13.04.180 Establishment of a WPCA operating fund.**

There is established a WPCA operating fund. This fund will be used to account for the operation, maintenance, administration and repair/replacement costs of the sewage system. Operating fund revenues shall be derived from user charges based upon a proportionate sharing of sewage system operation, maintenance, administration and repair/replacement costs among all system users, as well as incidental revenues.

(Ord. dated 4/18/88 (part): prior code § 29-18)

#### **13.04.190 Establishment of a WPCA capital fund.**

There is established a WPCA capital fund. This fund will be used to account for payment of principal and interest on bonds, notes or other legal debt instruments of the city issued for the acquisition and construction of sewage facilities. Revenues for the capital fund shall be derived from charges levied on system users based on a proportionate sharing of capital costs incurred for purposes of acquisition or construction of wastewater treatment facilities.

(Ord. dated 4/18/88 (part): prior code § 29-19)

#### **13.04.200 Accounting and recordkeeping.**

The accounts and records of the WPCA operating and capital funds shall be maintained under enterprise fund accounting, a self-sustaining activity as described by state law and generally accepted accounting principles.

(Ord. dated 4/18/88 (part): prior code § 29-20)

#### **13.04.210 Use of funds.**

A. The gross revenues of the WPCA capital fund shall be applied as follows:

1. The first call on gross revenues shall be applied to the payment of all bonds, notes or other legal debt instruments secured solely by a pledge of sewerage system use charges;
2. The second call on gross revenues shall be to satisfy the next annual payment of principal and interest



on any outstanding debt of the city issued after July 1, 1988, for purposes of the sewage system, to include all bonds, notes or other legal debt instruments;

3. The third call on gross revenues shall pay debt service on general obligation debts of the city incurred for sewage purposes prior to July 1, 1988, to the extent budgeted;

4. The fourth call on gross revenues shall be to fund a reserve for future capital projects.

B. The gross revenues of the WPCA operating fund shall be applied as follows:

1. The first call on gross revenues shall be to satisfy all current and accrued operation, maintenance and administrative expenses;

2. The second call on gross revenues shall be to fund a reserve for repair and replacement;

3. The third call on gross revenues shall be to fund a reserve for operating contingencies.

C. Any operating fund revenues in excess of those set out in subsection B of this section remaining at the end of the fiscal year may be used for one or more of the following purposes: rate relief in the subsequent fiscal year; purchase of capital assets, or any other legal purpose specified by the board. Approval for disposition of excess operating fund revenues shall be made by the WPCA board of directors.

D. Any operating fund deficit net of receivables remaining at the end of the fiscal year shall be added to the cost of service for the following year and recovered through rates and charges for sewer service.

(Ord. dated 4/18/88 (part): prior code § 29-21)

#### **13.04.220 Annual budget.**

A. An annual budget of the next fiscal year's projected revenues and expenses of the WPCA and recommended sewer user charges shall be submitted to the WPCA board of directors by the general manager ninety (90) days prior to the close of each fiscal year, and within ten days after such submission shall be published once in a daily newspaper having circulation in the city. After such publication, but no earlier than ten days after public notice thereof, the WPCA board of directors shall hold a public hearing on such projected revenue and expenditures of the WPCA and recommended sewer user charges, and consider and act on such projected revenues and expenses of the WPCA and recommended sewer user charges.

B. The WPCA budget and sewer user charges, if such budget and charges are revised by the WPCA board of directors, shall be filed with the city clerk and published in a daily newspaper having circulation in the city no later than five days after their filing.

C. Each year the budget of the WPCA shall include a line item for unanticipated operating contingencies. The general manager shall make specific requests to the WPCA board of directors for authority to expend funds from the contingency reserve from time to time subject to certification by the comptroller as to their availability. Expenditures from the repair/replacement reserve, if such funds be available, shall be approved in the same manner as requests for expenditures under the annual appropriation for unanticipated operating contingencies.

(Ord. dated 4/18/88 (part): prior code § 29-22)

#### **13.04.230 Cost-of-service study.**

The general manager will ensure that an independent cost-of-service study is performed at least every two years. The general manager shall review the results of the study and shall submit the study along with a schedule of recommended rates and charges to the WPCA board of directors for consideration and public hearing. If the general manager's recommendations as to the proposed rates and charges are not disapproved, approved or approved with modifications by the WPCA board of directors by the first day of the new fiscal year, the general manager's recommended rates and charges shall automatically become effective and shall be implemented by him until such time that they are superseded by a renewal of the above procedure. Billings for services shall be rendered as the WPCA shall determine. In the period intervening between cost-of-service studies, the WPCA shall be authorized to amend user charges so long as such charges are based upon the anticipated cost of operating the system and such charges are presented to the general public at a public hearing in accordance with the notice provisions of Section 7-255 of the General Statutes. The cost-of-service study is to be completed one hundred eighty (180) days prior to the close of the fiscal year in which it is conducted.

(Ord. dated 4/18/88 (part): prior code § 29-23)

#### **13.04.240 Annual strategic plan.**

The general manager shall prepare an annual strategic plan to be presented to the board. This plan will outline the strategic direction to be followed by the WPCA to provide for the efficient and cost-effective operation of the sewer system. The plan will include a five-year projection of revenues and operations and maintenance expenses. The plan will also include a projected five-year capital improvement program for the system detailing the anticipated amount and source(s) of required capital funding.

(Ord. dated 4/18/88 (part): prior code § 29-24)

#### **13.04.250 Periodic insurance review.**

The general manager shall require an outside review of the WPCA's insurance coverages at least every two years to analyze areas of risk and recommend changes in coverages necessary to mitigate those

risks.

(Ord. dated 4/18/88 (part): prior code § 29-25)

#### **13.04.260 Stormwater system.**

A. The WPCA shall be responsible for the construction, operation and maintenance of the city's storm sewer system as well as the combined stormwater and sanitary sewers.

B. This provision shall be retroactive to the creation of the WPCA.

(Ord. dated 3/16/92: (Ord. dated 4/18/88 (part): prior code § 29-26)

#### **13.04.270 Basis for rates and charges.**

A. Charges for sanitary sewer services furnished by the WPCA for commercial, residential, industrial and institutional users shall be established and periodically revised by the WPCA. Such charges shall reflect the proportional distribution of costs among all users pursuant to Chapter 7-255 of the Connecticut General Statutes and Section 204(b) of 33 USC, Section 1284(b). "Cost" refers to all costs for operations, maintenance, administration and repair/replacement of the sewer system.

B. Separate charges will be levied on all users of the wastewater system to recover their proportionate share of capital costs incurred for the purpose of the acquisition or construction of wastewater treatment facilities.

(Ord. dated 4/18/88 (part): prior code § 29-27)

#### **13.04.280 Computation of WPCA's average unit cost.**

The following items shall be used to compute the WPCA's average unit cost, but shall not be deemed to be exclusive of other pertinent factors:

A. The total proposed WPCA operating fund budget for the next fiscal year will be used as a basis for figuring operation, maintenance, administrative and repair/replacement expenditures.

B. The WPCA's average unit cost will be computed for each of four functions: customer cost, flow, BOD and TSS.

C. The cost of operation shall be recomputed no less often than annually to reflect increases or decreases in operation and maintenance, administrative and renewal/replacement costs, and billing rates shall be revised by the WPCA.

(Ord. dated 4/18/88 (part): prior code § 29-28)

### **13.04.290 Rates, fees and charges.**

The WPCA shall bill customers for sanitary sewer and other services provided based on the following:

- A. Residential Customer Charge. A periodic charge per residential dwelling unit. The residential customer charge may be levied on the basis of a flat charge per residential dwelling unit or water consumption, as decided by the WPCA;
- B. Industrial/Commercial/Institutional Charge. A periodic charge based on water consumption for the preceding period;
- C. Other fees as may be deemed appropriate by the WPCA. Such fees may be established and amended by the WPCA as necessary;
- D. Special benefits assessments for the installation of sewers as prescribed in Section 7-249 of the Connecticut General Statutes.

(Ord. dated 4/18/88 (part): prior code § 29-29)

### **13.04.300 Rates for property located outside of city.**

The charges to be made by the WPCA for sewer service to property located outside the limits of the city shall be established by:

- A. Direct billing of the customer by the WPCA; or
- B. A formal contract with the WPCA, the charges shown in such contract to be not less than the actual cost of the WPCA, and such contract to be approved by the WPCA.

(Ord. dated 8/6/01: Ord. dated 4/18/88 (part): prior code § 29-30)

### **13.04.310 Rates for Bridgeport housing authority.**

The charges to be made by the WPCA for sewer service to the Bridgeport housing authority for properties under its control shall be established on the basis of a formal contract with the WPCA, the charges shown in such contract to be not less than the actual cost to the WPCA, and such contract to be approved by the WPCA.

(Ord. dated 4/18/88 (part): prior code § 29-31)

#### **13.04.320 No reduced rates or free service permitted.**

All persons owning, renting, leasing or having management or control of properties or premises that produce waste that is discharged into the sanitary sewers of the city, including domestic waste, and subject to the provisions of this chapter, shall be charged the rates established by the WPCA, and no reduced rates or free sanitary sewer service shall be furnished to any such person, property or premises. In all cases, the owner of the property shall have final responsibility for the payment of sewer charges.

(Ord. dated 4/18/88 (part): prior code § 29-32)

#### **13.04.330 Allowance for metered water not discharged into the city's sanitary sewer system.**

Any commercial, industrial or institutional customer using metered water that is not discharged into the sanitary sewer system may petition the general manager for a billing adjustment provided that: such customer undertake, at its own expense, an engineering study to be performed by an engineer licensed in the state of Connecticut, the results of which shall be turned over to the general manager, indicating the proportionate share of metered water consumed that is not returned to the sanitary sewer system. As an alternative to the aforementioned, such customer may install, at its own expense, a submeter, approved by the general manager, to measure flow into the sanitary sewer system. Such submeter shall be subject to periodic inspection by the WPCA to ensure its proper operation.

(Ord. dated 4/18/88 (part): prior code § 29-33)

#### **13.04.340 Deductions for vacancies in residential units.**

No deductions will be made for vacancies in the application of the residential sewer charge. A residential unit removed from service will be relieved of payment of a sewer service charge upon written request by the owner with supporting evidence of such unit's being vacant as specified by the WPCA. The owner of a residential property certified as being out of service shall file a monthly affidavit with the WPCA attesting to the unit's continued vacant status, unless such property was classified as permanently out of service at the time the original out of service certification was issued. Failure to submit a monthly affidavit will result in the resumption of billing of sewer service charges for the property.

(Ord. dated 4/18/88 (part): prior code § 29-34)

#### **13.04.350 Computation of industrial user charges.**

A. The user charges for all manufacturing or other producers of wastewater over a minimum of twenty-five thousand (25,000) gallons per day to which this chapter applies, except for dry industries, will be computed by the use of the following formula:

$$UC = VX + [YVW (C1-300)/1000000 + ZVW (C2-350)]/1000000$$

UC = User charge (in dollars) for each billing period.

V = Volume in gallons discharged to the city sanitary sewer system during the billing period.

X = Cost per gallon of normal strength wastewater treated.

Y = Cost to remove one pound of BOD.

Z = Cost to remove one pound of TSS.

W = Weight of water (8.33 lb./gal.).

C1 = Concentration of discharge of BOD in mg/l.

C2 = Concentration of discharge of TSS in mg/l.

B. Those industries defined in this chapter as dry industries, or industries producing wastes containing BOD of less than three hundred (300) mg/l and TSS of less than three hundred fifty (350) mg/l, will pay a sewer service charge as established and revised by the WPCA.

C. When an industry produces both domestic and process waste, the wastewater so delivered will be considered as industrial wastewater and the user charge computations will be in compliance with those described above in this section, based on combined volume, BOD and TSS content.

D. A permittee may reduce his user charge rate by greater removals in pretreatment or plant operation procedure, but once the pretreatment or plant procedure is established to obtain a uniform or lower rate, written consent from the general manager to increase the delivered strength shall be required, and charges for a higher rate based on tests by the WPCA may be made without other notice to the permittee.

E. Monthly or quarterly billing for industrial wastewater disposal will be accomplished using the established procedures.

(Ord. dated 4/18/88 (part): prior code § 29-35)

### **13.04.360 Billing frequency.**

Billing for sewer service charges for residential customers shall be made on a periodic basis at the

beginning of the period for which service is to be provided, unless such residential customer charges are based on water consumption, in which case billing will be made coincident with water billings from the Bridgeport Hydraulic Company. Billing for sewer service charges for commercial, industrial and institutional customers shall be made generally concurrently with the monthly or quarterly water bills issued to them by the Bridgeport Hydraulic Company.

(Ord. dated 4/18/88 (part): prior code § 29-36)

#### **13.04.370 Late payments.**

All sewer user charges shall be due and payable in full within thirty (30) days of the date of the mailing of the bill to the customer. Any sewer user charge not paid in full within thirty (30) days of the due date shall be delinquent and shall bear interest at the rate and in the manner prescribed by the General Statutes of the state of Connecticut for delinquent property taxes. There shall be indicated on each bill the last date the same may be paid without becoming subject to the interest charge, together with a statement to the effect that if the bill is not paid within thirty (30) days of the due date, it will become subject to interest from the due date at the applicable rate.

(Ord. dated 4/18/88 (part): prior code § 29-37)

#### **13.04.380 Collection of past due accounts and late payment penalties.**

A. The WPCA shall exercise due diligence in collecting the full amount due from all customers. The WPCA shall exercise all lawful means to collect delinquent unpaid sewer use charges including retaining independent legal counsel and/or an independent collecting agent. The customer shall become liable for all costs associated with collecting delinquent accounts.

B. A list of such unpaid accounts turned over for collection shall be submitted to the chairman of the WPCA semiannually.

C. Any unpaid sewer user charges shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the General Statutes of the state of Connecticut for continuing, recording and releasing property tax liens and encumbrances except taxes, and may be foreclosed in the same manner as a lien for property taxes.

D. The tax collector of the city and the general manager are designated as collectors of sewer user charges. In addition, the board of directors of the WPCA may designate other persons to collect sewer user charges. Such designated persons may collect such charges in accordance with the provisions of the General Statutes, aforesaid, for the collection of property taxes.

(Ord. dated 4/4/94: (Ord. dated 4/18/88 (part): prior code § 29-38)

### **13.04.390 Billing adjustments.**

A. In the event any adjustment in a water bill affects the basis on which the sewer charge is levied for the same period, an appropriate adjustment in the sewer charge shall be made by a credit or additional charge on the next bill, or at the time of payment. In all cases, the general manager shall certify to the WPCA board of directors the validity of each adjustment.

B. The general manager may permit adjustments to a user's sewer bill for various reasons under the provisions of rules, regulations and guidelines that may be adopted from time to time by the WPCA with the approval of its board of directors.

(Ord. dated 4/18/88 (part): prior code § 29-39)

### **13.04.400 Billing options for apartment buildings and condominium associations.**

Apartment buildings and condominium associations may elect to pay sewer user fees based on the volume of water consumed rather than on a flat rate per unit basis.

Apartment buildings and condominium associations electing this option shall be required to file a petition with the general manager of the WPCA, and to complete a waiver form authorizing the Bridgeport Hydraulic Company to release consumption date.

(Ord. dated 4/18/88 (part): prior code § 29-40)

### **13.04.410 Discontinuance of service for failure to pay.**

The WPCA shall have the right to discontinue sanitary sewer service to any person discharging into the sanitary sewers of the city who fails or refuses to make timely payment of the sewer charges for which he is billed. The basis under which service is discontinued shall be determined by the board of directors of the WPCA.

(Ord. dated 4/18/88 (part): prior code § 29-41)

### **13.04.420 Reports to be submitted for council review.**

The following reports, 13.04.160 Annual Audit; 13.04.170 Consulting Engineer Review; 13.04.220 Annual Budget; 13.07.230 Cost of Service Study; 13.04.240 Annual Strategic Plan, will be required to be submitted to the city clerk's office for the council's review.

(Ord. dated 4/18/88 (part): prior code § 29-42)



### **Article III. Water**

#### **13.04.430 Well water unfit for domestic use.**

No owner, lessee, agent or keeper of any premises on which there is any well, the water of which is used for drinking or domestic purposes, shall, after notice from the director of health that the water thereof has become unfit for use, continue to permit the water to be used for drinking or domestic purposes. The owner, lessee or agent of any premises on which there is any such well shall close or fill up the same upon notice from director of health to such effect made after having ascertained that the water of such well has become unfit for drinking or domestic purposes.

(Ord. dated 4/18/88 (part): prior code § 29-51)

### **Article IV. Sewers and Sewage Disposal**

#### **13.04.440 Building sewers and connections.**

A. The director of public facilities shall direct licenses to be issued to such persons as shall be deemed competent to make all necessary connections with gas and water mains and public sewers. Each gas and water company shall have the right to nominate the person to tap its own mains. No person shall make or close up any connection with any such main or sewer, except the persons duly licensed as aforesaid. No person shall make any excavation in any street, or make any connection as aforesaid, except under authority of a license or permit therefor, issued by the director.

B. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, repair or disturb any public sewer or appurtenance thereof.

C. Any person proposing a new discharge into the public sewer system or a substantial change in the volume or character of pollutants that are being discharged into the public sewer system shall notify both the director of public facilities and general manager at least forty-five (45) days prior to the proposed change or connection.

D. A person intending to connect a building sewer from his property to the public sewer shall first obtain a permit to connect from the director of public facilities and the general manager. The applications shall be made on forms provided by the director of public facilities and the general manager of the WPCA, and it shall be accompanied by a sketch or plan showing the proposed installation in sufficient detail to enable the city engineer to determine that the proposed installation meets the requirements of this regulation and other applicable specifications, codes and laws. The application shall be signed by the owner of the premises to be served or his authorized agent and by the qualified contractor who has been chosen to perform the work of installing and connecting the building sewer to the public sewer. Upon

approval of the application and plan, a permit shall be issued to have the work performed by the stated contractor. In the event the premises changes ownership before the work is completed, or if another contractor is chosen to perform or furnish the work, the original permit becomes void, and a new permit must be obtained by the new parties in interest.

E. A connection to the public sewer will be made only after the building's plumbing has been approved by the city building inspector in order to ensure that minimum standards are met for the installation. A fresh air vent shall be required for the building and all plumbing shall be in good working order. No trench containing a building drain or connection to the sanitary sewer shall be backfilled until the general manager or his agent has completed an inspection of and approved the work. The water level in the trench shall be maintained at a level below the sewer connection before the cap is removed and while the connection is being made and until such time as it has been inspected, approved and backfilled. The contractor shall notify the general manager twenty-four (24) hours before starting any work authorized under this permit.

F. Owners of land in adjoining towns may petition the WPCA in writing for the right to connect the sewers and drains from such lands with sewers. Each petition shall set forth the character and size of the owner's sewers or drains and a description of its materials and shall be accompanied by a survey, plan or layout showing the position of such sewer or drain and all connections thereof in such adjoining town and the place where such connection is to be made. The WPCA may then allow such connection to be so made and shall specify the manner, terms and conditions of the same.

G. Permits to connect to the public sewer may be revoked and annulled by the director of public facilities or the general manager for such cause and at such times as he may deem sufficient and the city and WPCA held harmless as a consequence of said revocation or the cause thereof. All other parties in interest shall be held to have waived the right to claim damages from the city or its agents on account of said revocation.

H. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

I. A separate and independent building sewer shall be provided for every building.

J. Existing building sewers may be used in connection with new buildings only when they are found, and proven to the satisfaction of the director of public facilities or general manager, to meet all requirements of this chapter.

K. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, installing the pipe, testing and backfilling the trench and connection of the building sewer to the public sewer shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city and WPCA. In the absence of code provisions or in

amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

L. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor with the exception of combined sewer areas. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Duplex lift systems shall be provided for commercial and industrial buildings.

M. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. Connection to a public combined sewer is allowed if no public storm sewer is available.

N. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

O. No building sewers shall be constructed within twenty-five (25) feet of a water supply well. If a building sewer is constructed within twenty-five (25) to seventy-five (75) feet of a water supply well, it shall be constructed in accordance with all applicable guidelines promulgated by the commissioner.

P. All building sewers shall be installed by a drain layer who possesses a valid license issued under Chapter 393 of the Connecticut General Statutes as amended.

(Ord. dated 12/21/92 § 75(f); (Ord. dated 4/18/88 (part): prior code § 29-56)

#### **13.04.450 Discharge limitations regarding the use of public sewers.**

A. No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer. On hilltops and other places where it is not intended to provide stormwater sewers, and where there is no combined sewer, all storm and surface drainage may be discharged directly into street gutters, and all pipes or conduits passing under or through sidewalks shall be of such material and pattern as shall be approved by the director of public facilities. No storm or surfacewater shall be so discharged as to flow over or upon any sidewalk. In sections of the city provided with combined sewers and where stormwater sewers are not provided, storm, surface and unpolluted water may be discharged into said combined sewers through pipes separate and independent from pipes carrying sewage and laid at such grades, depths and to such point as shall be required by the city engineer and WPCA so that they may at a future time be disconnected and connected with stormwaters by the city or the WPCA at its own expense.

B. Storm sewers shall be designated to receive stormwater and all other unpolluted drainage. If no storm

sewers are located on any abutting street then stormwater and other unpolluted water may be discharged to sewers designated as combined sewers. In no case when both storm sewers and combined sewers are located on the same street shall connection be made to the combined sewer. Waters discharged directly or indirectly to a watercourse shall be in accordance with all applicable state and federal laws and regulations.

C. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the wastewater treatment facility. These general prohibitions apply to all such users of a wastewater treatment facility whether or not the user is subject to National Categorical Pretreatment Standards or any other federal or state pretreatment standards or requirements. A user shall not contribute the following substances to any wastewater treatment facility:

1. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater treatment facility or to the operation of the wastewater treatment facility. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the sewage collection system (or at any point in the system) be more than five percent nor any single readings over ten percent of the lower explosive limit (LEL) of the meter;
2. Solids or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facility, including substances such as, but not limited to, grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste pare, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polished wastes;
3. Any sewage having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment facility. The upper limit of pH for any industrial wastewater discharge shall be established under the discharger's state discharge permit;
4. Any sewage containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or plant life, create a toxic effect in the receiving waters or the wastewater treatment facility or exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act;
5. Any noxious or malodorous sewage, gases or solids which either singly or by interaction with others are sufficient to prevent entry into the public sewers for their maintenance and repair;

6. Any sewage which, by interaction with other sewage in the public sewer, releases obnoxious gases, forms suspended solids which interfere with the collection system, or creates a condition which may be deleterious to structures and treatment processes or which may cause the effluent limitations of the wastewater treatment facility's NPDES permit to be exceeded;
7. Any substance which may cause the wastewater treatment facility's effluent or any other produce of the wastewater treatment facility such as residues, sludges or scums, to be unsuitable for reclamation process where the wastewater treatment facility is pursuing a reuse and reclamation program. In no case shall a substance discharged to the wastewater treatment facility cause the facility to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria, guidelines or regulations effecting sludge use or disposal developed pursuant to the Resource Conservation and Recovery Act, Clean Air Act, the Toxic Substances Control Act or state criteria applicable to the sludge management method being used;
8. Any substance which will cause a wastewater treatment facility to violate its NPDES permit or the receiving water quality standards;
9. Sewage containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment facility effluent cannot meet the limits stipulated in the city's NPDES permit.

D. The following described substances, materials, waters or waste shall be limited in discharges to public sewers to concentrations or quantities which will not harm either the sewers, water pollution control facility, will not have an adverse effect on the receiving stream, or will not otherwise endanger public property or constitute a nuisance. The commissioner may set lower limitations if more severe limitations are necessary to protect the wastewater treatment facility or to meet the water quality standards of the receiving stream. The limitations or restrictions on materials or characteristics of sewage discharged to the public sewer are as follows:

1. Sewage having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Celsius);
2. Sewage containing fat, wax, grease, petroleum or mineral oil, whether emulsified or not, in excess of one hundred (100) mg/l with floatable oil not to exceed twenty (20) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (zero and sixty-five (65) degrees Celsius);
3. Any garbage that has not been properly shredded. Garbage grinders may be connection sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers;

4. Any sewage containing odor-producing substances exceeding limits which may be established by the commissioner;

5. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the commissioner in compliance with all applicable state and federal regulations;

6. Materials which exert or cause:

a. Unusual concentrations of inert suspended solids (such as, but not limited to, sodium chloride and sodium sulfate),

b. Excessive discoloration (such as, but not limited to, dye waste and vegetable tanning solutions),

c. Unusual BOD, chemical oxygen demand or chlorine demand in such quantities as to constitute a significant load on the water pollution control facility,

d. Unusual volume of flow, mass or concentrations of wastes constituting a "slug,"

e. Overflow from holding tanks or other receptacles storing wastes,

f. Sewage with a concentration of pollutants in excess of the following limits:

Pollutant	Concentration: Parts/ Million (mg/l)
Arsenic as As	0.05
Barium as Ba	5.0
Boron as B	5.0
Cyanides as CN (amendable)	0.1
Fluoride as F	20
Chromium (total)	1.0
Chromium (Cr + 6)	0.1
Magnesium as Mg	100
Manganese as Mn	5.0
Copper as Cu	1.0
Zinc as Zn	1.0
Cadmium	0.1
Lead	0.1

Tin	2.0
Silver	0.1
Mercury	0.01
Nickel	1.0.

Note: All metals are to be measured as total metals. In accordance with Section 25-54i of the Connecticut General Statutes as amended, a permit from the Commissioner of Environmental Protection is required prior to the initiation of a discharge of any of the following wastewaters to a public sewer:

i. Industrial wastewater of any quantity; or

ii. Domestic sewage in excess of twenty-five thousand (25,000) gallons per day through any individual building sewer to a public sewer.

E. A potential discharger must submit a permit application to the Department of Environmental Protection not later than ninety (90) days prior to the anticipated date of initiation of the proposed discharge.

F. The director of health may, by agreement with the Department of Environmental Protection, assume some or all of the functions of the commissioner specified by the Connecticut General Statutes, relative to use of the city's sewers or wastewater treatment facilities.

G. If any sewage is discharged or is proposed to be discharged to the public sewers which contains the substance or possesses the characteristics enumerated in Section 13.04.440 of this chapter, and which in the judgment of the commissioner may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise may create a hazard to life or constitute a public nuisance, the commissioner may in accordance with Section 25-54i(b) of the Connecticut General Statutes as amended:

1. Reject the discharge of the wastes;

2. Require pretreatment to an acceptable condition for discharge to the public sewers; or

3. Require control over the quantities and rates of discharge.

H. If the commissioner permits the pretreatment or equalization of waste flows, the design and installation of the equipment shall be subject to the review and approval of the commissioner subject to the requirements of all applicable codes, ordinances and laws.

I. The director of health shall have the right to reject the discharge of any wastes; or, require more

stringent effluent limitations than required by the user's Connecticut General Statutes Section 25-54i permit, the decisions of the commissioner notwithstanding.

J. Grease, oil and gross particle separators shall be provided when, in the opinion of the commissioner, they are necessary for the proper handling of sewage containing grease in excessive amounts, or any flammable wastes, sand or other harmful substances; except that such separators shall not be required for private living quarters or dwelling units. All separators shall be of a type and capacity approved by the commissioner, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these separators, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the commissioner. Any removal and hauling of the collected materials shall be performed by a waste disposal firm which possesses a valid permit from the commissioner under Section 25-54h of the Connecticut General Statutes, as amended.

K. Where pretreatment or flow-equalizing facilities are provided or required for any sewage, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

L. When required by the commissioner and WPCA, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observations, sampling and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the commissioner. The sampling structure shall be located at a point along the industrial waste stream where a representative sample of the industrial wastewater may be obtained prior to its being diluted by domestic sewage in the building sewer. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

M. All industries discharging into a public sewer shall perform such monitoring of their discharge as required by the commissioner in any state discharge permit issued pursuant to Section 25-54i of the Connecticut General Statutes, as amended, including, but not limited to, installation, use and maintenance of monitoring equipment, keeping records and reporting the results to the commissioner. Such records shall be made available upon request of the commissioner, the director of public facilities, the director of health or the WPCA.

N. All measurements, tests and analyses of the characteristics of sewage to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to the stipulations and general conditions of the discharger's state discharge permit.

O. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the WPCA and any industrial concern whereby an industrial waste of unusual



strength or character may be accepted by the city or WPCA.

P. Upon promulgation of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall supersede the limitations imposed under this category.

Q. No user shall increase the use of process water in an attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards or in any specific pollutant limitations which may be developed by the commissioner.

R. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at the owner or user's own expense. The commissioner may require that plans showing facilities and operating procedures be submitted for review and approval prior to construction of the facilities.

S. Within five days following an accidental discharge, the user shall submit to the director of health, the WPCA and the commissioner, a detailed written report describing the cause of the discharge and the measure(s) to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or liability which may be incurred as a result of damage to the wastewater treatment facility, fish kills, aquatic plants or any other damage to persons or property.

T. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees are advised of the emergency notification procedure.

(Ord. dated 12/21/92 § 75(f); Ord. dated 4/18/88 (part): prior code § 29-57)

#### **13.04.460 Quantity determination.**

A. Unless otherwise provided, the quantity of wastewater delivered to the city sewers will be construed as being the same as the water delivered to the producer by the company water system. If it is ascertained that the water meter has inaccurately measured the amount of water delivered to the permittee, then in that event the sanitary sewer charge established in this chapter shall be adjusted in the same manner as adjustments are made to the water bill.

B. Should the producer evaporate or otherwise dispose of water delivered by the company water system other than to the city sewer system, the industrial waste producer may petition the general manager for adjustment.

C. It shall be the obligation of the permittee to conduct a test on the flow-measuring equipment as

follows: meters measuring four and five-tenths ccf or greater per day shall be tested at least once every twelve (12) months; meters measuring four and forty-nine-one hundredths ddf or less per day shall be tested at least once every four years. The test shall be used to determine the meter accuracy and the results thereof shall be furnished in writing to the general manager. It shall also be the permittee's responsibility to notify the general manager within a reasonable time in advance so that the general manager may, if he chooses, have a witness present during such test. If, upon any such test, the percentage of accuracy is found to be within the accuracy tolerance established by the manufacturer's specifications, such measuring equipment shall be determined to have correctly measured the quantity delivered to the sewer system. If, however, upon any such test, the percentage of accuracy is found to be in excess of the accuracy tolerance specified by the manufacturer's specifications, then such measuring equipment shall be immediately adjusted to register correctly the quantity delivered to the sewer system. The billings to such permittee shall be adjusted for a period extending back to the time when the inaccuracy began, if such time is ascertainable, or for a period extending back one-half of the time elapsed since the date of the last test or the date of the last adjustment, if the time is not ascertainable.

D. Any producer for which the water supply is from private wells shall install, operate and maintain at its expense such meters or other devices as are necessary to determine quantity discharge to the sewer system. Such meters shall be approved by the general manager.

E. In the event none of the above provisions are applicable, all producers for which the water supply is from other than the company, shall furnish to the WPCA either a certified meter reading of water delivered to its plant or company or a copy of the billing from the water supplier. In this event, the permittee's charges will be calculated and the same conditions will apply as if the company were the supplier of water to the permittee.

(Ord. dated 4/18/88 (part): prior code § 29-58)

#### **13.04.470 Quality determination.**

A. Determination of the average concentration or strength of the waste delivered shall be the obligation of the WPCA, and tests made on representative average samples shall be made at such intervals as the WPCA may designate, not less than annually. The cost of all such analyses required by the general manager shall be borne by the permittee.

B. Samples may be taken and tests made at the WPCA's option without notice to the permittee, and such tests' results made by the WPCA shall fix the applicable user charge established in this chapter; provided, however, a permittee may request in writing that its user charge be established pursuant to a composite sample secured and analyzed by an independent laboratory approved by the WPCA. Such request must be approved in writing by the general manager. If approved by the general manager, all costs of such composite sampling and subsequent analysis shall be borne by the permittee and shall be conducted at intervals determined by the general manager. The WPCA approval of sampling and analysis permitted by an independent laboratory shall not prevent representatives of the sewer staff from

taking additional samples at its option without notice to the permittee.

C. Written notice from the general manager approving sampling and analysis by an independent laboratory to establish user charges under this chapter may be canceled by the general manager by giving written notice of such cancellation to the permittee.

D. Sampling shall be conducted according to customarily accepted methods. If, after receiving the permit application, the general manager determines that the operations or characteristics of the producer's industrial wastewater discharge requires composite sampling, the general manager may require same, which shall be provided by the producer on the basis of an average workday. Otherwise, the analysis will be made on the basis of grab samples. Guidelines for the examination and analysis of the characteristics will be as recommended in "Standard Methods." The WPCA may select an independent firm or laboratory to determine flow, BOD and suspended solids at the permittee's expense.

E. The general manager may make periodic tests to determine the quality of waste being discharged into the city sewer from the premises of permit holders under the provisions of this chapter. If at any time the industrial process changes or the quality of the industrial wastewater changes such that the addition, modifications or alteration of pretreatment is required to meet city standards, the general manager will then have the authority to require that approved pretreatment facilities be installed by the permit holder. Should any permit holder fail or refuse to install such facilities or initiate their installation to the satisfaction and approval of the general manager within the dates and time specified in the permit, the general manager shall have the authority to suspend or revoke such permit and to terminate sewer service to such premises until such time as the permit holder has complied with the requirements of this chapter, or taken other action as may be permitted.

(Ord. dated 4/18/88 (part): prior code § 29-59)

### **13.04.480 Accidental discharges.**

A. Each permittee shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this article.

B. For countermeasures to be taken by the WPCA to minimize damage to the sanitary sewer system and/or degradation of the receiving waters, permittee shall notify the WPCA immediately upon accidentally discharging wastes in violation of this chapter. This notification shall be followed within three days of the date of occurrence by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrences. Such notification will not relieve permittee of liability for any expense, loss or damage to the sanitary sewer system, or for any fines imposed on (by) the WPCA on account thereof and/or for any WPCA enforcement action pursuant to this occurrence.

C. In order that officers, agents and employees of permittees will be informed of the WPCA's

requirements, permittees shall make available to their employees copies of this chapter, together with such other wastewater information and notices which may be furnished by the WPCA from time to time for the purpose of improving and making more effective water pollution control. A notice shall be furnished and permanently posted on the permittee's bulletin board advising officer agents and employees whom to call in case of an accidental discharge in excess of the limits authorized by the permit.

D. Any possible connection or entry point for a hazardous and/or prohibited substances to the permittee's plumbing or drainage system shall be appropriately labeled to warn operating personnel against discharge of such substance in violation of this chapter.

(Ord. dated 4/18/88 (part): prior code § 29-60)

### **13.04.490 Changes of ownership.**

In the event a producer of industrial waste which is authorized to make a connection to the city sewer for industrial wastewater disposal under the provisions of this chapter is sold, leased or its operation is assumed or taken over by another person, firm or corporation, other than that named in the permit, a new application for permit shall be made by the new owner, lessee or operator. No permit issued under the provisions of this chapter shall be assignable, and a violation of this provision shall be grounds for summary suspensions or revocation of such permit by the general manager.

(Ord. dated 4/18/88 (part): prior code § 29-61)

### **13.04.500 Pretreatment.**

A. Pretreatment will be required in the following instances, and the general manager shall submit to the applicant the pretreatment levels which must be obtained:

1. If the general manager determines upon the initial application for a permit under this chapter that the industrial wastewater must be pretreated by the applicant to lower the level of any of the components of the industrial wastewater before discharge to the city sewer;

2. If the WPCA must improve the discharge from the wastewater treatment plant to the receiving waters as a result of directives from federal or state regulatory agencies, orders or judgments from courts of competent jurisdiction or changes in the discharge permit for the WPCA's wastewater treatment plant or plants, then in that event, the general manager will require that a permit holder install or enlarge pretreatment facilities to lower the affected component of the permittee's industrial wastewater discharge;

3. If any wastewaters prohibited under the conditions of this chapter are produced, such producer shall pretreat the wastewater to the extent required to comply with the standards established in this chapter

before discharging to any city sewer;

4. If the general manager determines that a permittee, because of plant expansion and/or changes in plant operations, has increased either the strength or volume of discharge, the general manager may require additional pretreatment to lower the level of the volume and/or any components of the industrial wastewater before discharge.

Pretreatment facilities required under this subsection A shall be provided, operated and maintained at the permit holder's expense.

B. Dilution of wastewater discharge to the city sanitary sewer is prohibited, whether accomplished by the combination of two or more wastewater streams by a producer or producers or by the addition of other liquids solely for the purpose of diluting the quality of the wastewater discharge.

C. One or more producers may, upon application and approval by the general manager, combine industrial wastewater streams prior to discharge to the city sanitary sewer system if, and only if, such combination of industrial wastewater streams produces a combined discharge of better quality than the two industrial wastewater streams would have been if discharged separately.

D. Detailed plans showing any proposed pretreatment facilities shall be submitted to the general manager for approval before construction of the facilities. The review of such plans will in no way relieve such permit holders from the responsibility of modifying and operating the facilities to produce an effluent complying with the established conditions of the permit. Any subsequent significant changes in the approved facilities or method of operating shall be reported to the general manager and must be approved by him as complying with the provisions established in this chapter.

E. After the construction plans for such pretreatment plants have been approved and a permit issued, the plans shall be placed on file in permanent, reproducible form with the general manager, without cost to the WPCA or city, before a building permit will be issued.

(Ord. dated 4/18/88 (part): prior code § 29-62)

### **13.04.510 Testing wastewater.**

A. It is a condition of the permit that the WPCA may at any time test any of the wastewater being discharged by the company or plant for quality or quantity. A duly authorized WPCA representative may enter the permittee's premises at any time during business or operational hours for the purpose of inspecting the plant operations to estimate quality and quantity of wastes, as defined in this chapter.

B. It is a condition of the permit that the permittee will install facilities at the permittee's expense for the purpose of the WPCA's representative inspecting, observing and sampling representative flows.

(Ord. dated 4/18/88 (part): prior code § 29-63)

### **13.04.520 Trade secrets.**

All information and data relating to a permittee obtained from reports, questionnaires, permit applications, permits, monitoring programs and inspections, shall be available to the public without restriction unless the permittee specifically requests and is able to demonstrate to the satisfaction of the WPCA that the release of such information to the general public would divulge information or processes or methods that would give a business advantage to competitors who do not otherwise have this information.

(Ord. dated 4/18/88 (part): prior code § 29-64)

### **13.04.530 Protection from damage.**

No person shall maliciously, wilfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage collection system or wastewater treatment facility.

(Ord. dated 4/18/88 (part): prior code § 29-65)

### **13.04.540 Sewer construction.**

A. The city council shall have the sole power to designate the streets on which sewers shall be laid along the center lines of streets.

B. All matters pertaining to new sewer construction shall be referred by the city council to the committee having jurisdiction over highways for investigation and report. The committee shall have the power to order the general manager to prepare or have prepared all plans, specifications, maps, profiles and data required for the proper construction and execution of any work in connection with the sewer system; and the general manager shall perform promptly all work so required. Such committee shall be further empowered to demand and receive such information as may be desired by it relative to the progress and cost of construction, the payments made on account thereof and on account of any contract relative to the construction of sewers or contracts therefor.

C. All pipes that must be kept open to drain yards or gardens shall be connected to storm sewers or combined sewers, in accordance with this chapter, with catch basins of precast concrete which shall satisfy city standards as established by the city engineer. No private catch basin shall be built within the limits of the street. When meat-packing houses, slaughterhouses or lard-rendering establishments are connected with the sewers, catch basins and grease traps satisfactory to the general manager and director of health shall be installed. Pipes draining foundations shall be connected with a catch basin.

(Ord. dated 12/21/92 § 24; (Ord. dated 4/18/88 (part): prior code § 29-66)

### **13.04.550 Private sewer disposal facilities.**

No private sewage disposal system shall be installed, altered or repaired, except by or under the supervision of a person duly licensed by the state Department of Health Services and under the direction and approval of the director of health and in accordance with this chapter.

(Ord. dated 4/18/88 (part): prior code § 29-67)

### **13.04.560 Powers and authority of inspectors.**

A. The director, general manager and other duly authorized employees of the city or WPCA bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

B. While performing the necessary work in private properties, the director, general manager or duly authorized employees of the city or WPCA shall observe all safety rules applicable to the premises established by the user. The user shall be held harmless for injury or death to the city employees and the city shall indemnify the user against loss or damage to its property by city employees and against liability claims and demand for personal injury or property damage asserted against the user and growing out of the inspection, gauging and sampling operation, except as such may be caused by negligence or failure of the user to maintain safe conditions.

C. The director, general manager and other duly authorized employees of the city or WPCA, bearing proper credentials and identification, shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property.

D. The director, general manager and director of health shall have power, and it shall be their duty, to discontinue, stop and prevent from discharging into any public sewer any private sewer which is improperly constructed or which is not maintained in good condition and repair or for which no permit has been obtained as aforesaid.

(Ord. dated 4/18/88 (part): prior code § 29-68)

### **13.04.570 Permit system.**

A. There shall be two classes of sewer permits:

1. Class A for residential and commercial building sewers, and

2. Class B for industrial building sewers to service establishments producing industrial wastes.

B. The owner or his agent shall make application on a special form furnished by the WPCA.

C. All industrial producers of wastewater of any quantity, strength or quality, and all industrial waste producers who hereafter desire to connect and discharge to the sanitary sewer system, shall make application to the general manager on forms supplied by the WPCA for a permit authorizing such connection.

D. Any producer of industrial wastewater discharging or proposing to discharge industrial wastewater into a city sanitary sewer in any quantity must comply with the following, if required by the general manager:

1. File a discharge report which must include, but not be limited to, nature of process, volume, rates of flow, production, quantities or any other information that is deemed relevant by the general manager to the generation of waste, including substances and concentrations in the wastewater discharge;

2. Submit a plan showing location and size of on-site sewers, sampling point, pretreatment facilities, sewers and any other information required by the general manager;

3. Describe activities, facilities and plant processes on the premises discharging or proposing to discharge industrial wastewater including all materials, processes and types of materials which are or proposed to be discharged; it being understood that the general manager will not disclose this information to others until prior notification is provided to the producer;

4. Each product produced by type, amount and rate of production;

5. The chemical components and quantity of liquid or gaseous material bulk stored on-site, even though they may not normally be discharged into the sewer system.

E. The permit provisions do not apply to restaurants, automobile dealers and/or gasoline service stations without automotive repair shop or car wash facilities, and food dispensing services, or building drains of industrial waste producers where the discharge is solely domestic or sanitary waste water; provided, however, that these exempted operations may be required to install a sampling well as required in Section 13.04.500 of this chapter and, further, that any producer exceeding the limits established in Section 13.04.450 and/or three hundred and fifty (350) mg/l of TSS and/or three hundred (300) mg/l of BOD will not be excluded from meeting all of the requirements of this chapter.

(Ord. dated 4/18/88 (part): prior code § 29-71)



### **13.04.580 Permit issuance and renewal.**

A. Applicant shall pay fees as established and revised from time to time by the WPCA for the issuance of an initial one-year permit and an annual renewal fee thereafter.

B. An annual report shall be submitted by each permittee certifying that there have been no changes in operational procedures, or if there have been such changes, furnishing information thereon in such detail as may be required by the WPCA. Failure to submit such report shall constitute cause for these suspension or revocation of the industrial waste discharge permit. In the event a permit is canceled for any cause under the provisions of this chapter, a fee shall be charged for a subsequent initial permit issued to such applicant on completion by the applicant of forms provided by the WPCA and approval of such forms by the general manager. All fees to be established and revised by the WPCA.

(Ord. dated 4/18/88 (part): prior code § 29-72)

### **13.04.590 Permit conditions.**

A. Industrial wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable ordinances or regulations. Permits may include, but are not limited to, the following:

1. Unit charge or schedule of user charges and fees for the wastewater to be discharged to the sanitary sewer;
2. Allowable average and maximum strengths, characteristics or constituents or the user's wastewater discharge;
3. Limits on rate and time of discharge or requirements for flow regulation and equalization;
4. Regulations for installation of inspection and sampling facilities which include requirements for the sewer staff's access to such facilities;
5. Pretreatment requirements;
6. Regulations for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards of tests and reporting schedules;
7. Requirements for the submission of technical reports or discharge reports;
8. Requirements for the maintenance of plant records relating to wastewater discharge and affording the sewer staff access thereto;

9. Other conditions as deemed appropriate by the general manager to ensure compliance with this chapter.

B. Any significant change in wastewater strength or volume discharged shall be reported to the general manager for determination of need to change the permit conditions no later than thirty (30) days prior to effecting the significant change.

(Ord. dated 4/18/88 (part): prior code § 29-73)

#### **13.04.600 Permit suspension or revocation.**

A. The general manager is authorized to suspend or revoke any permit issued and to terminate service at any time that the permittee violates any of the provisions of this chapter or any other city ordinance pertaining to sewage disposal into the city sewers, fails or refuses to pay, when due, charges made by the WPCA for such sewer services, or discharges wastewater in a quantity or a quality violating the provisions of the permit or otherwise prohibited by this chapter or other related city ordinances.

B. If a permittee violates any condition of its permit, the permittee shall notify the general manager by telephone immediately and submit written notice to the general manager within three days of such violation outlining the steps which will be taken to effectuate correction of such violation. The violation shall be corrected within five days after the occurrences of such violation, unless a different time schedule for correction is approved by the general manager.

C. If the sewer staff discovers a violation of a permit condition, the general manager will give written notice of such violation to the permittee, and the permittee shall, within five days after receipt of such notice, furnish the general manager a description in writing, of the action which will be taken to effectuate correction of such violation. The violation shall be corrected within five days after the occurrence of such violation unless a different time schedule for correction is approved by the general manager.

D. No provision contained in this chapter shall be deemed to prevent any contract authorized by the WPCA in the usual manner between the WPCA and any industrial waste discharger whereby an industrial waste of unusual strength or characteristic may be accepted by the WPCA for treatment when the industrial waste will not be discharged directly into the city's sanitary sewer system, but will be delivered directly to the wastewater treatment plant, and which will not violate or cause a violation of federal or state discharge standards and which will not be harmful to the wastewater treatment plant or the treatment process.

(Ord. dated 4/18/88 (part): prior code § 29-74)

#### **13.04.610 Violations Penalties.**

A. Any person found to be in violation of any provisions of this chapter, shall be served by the city or WPCA with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who continues any violation beyond the time limit provided for in subsection A of this section, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding one hundred dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

C. Any person who is found to be in violation of any of the provisions of this chapter shall become liable to the WPCA for any expense, loss or damage occasioned by the city or WPCA by reason of such violation.

D. Any person who is found to be in violation of Section 25-54i of the Connecticut General Statutes as amended shall be subject to a monetary penalty or forfeiture under Section 25-54q of the statutes.

(Ord. dated 4/18/88 (part): prior code § 29-69)

#### **13.04.620 Sewer extensions to properties outside the city limits.**

Notwithstanding the requirements of Sections 13.04.030, 13.04.300, and 13.04.540 of this chapter, all requests for sewer extensions for service to properties located outside the city limits shall be submitted by the town and the property owner to the WPCA board for approval. All approved requests shall be forwarded by the WPCA to the city clerk for referral to: the planning and zoning commission for a report pursuant to Section 8-24 of the General Statutes of Connecticut; and the committee having jurisdiction over highways for an investigation and report. All requests from towns and property owners for sewerage service to properties located outside the city limits where there is no approved contract between the town where the property is located and the WPCA, shall also require the approval of the city council. All contracts and/or amendments to contracts between the WPCA and towns for sewerage service executed after the effective date of the ordinance codified in this section shall also require the approval of the city council.

(Ord. dated 8/2/04: Ord. dated 8/5/02)

### **Chapter 13.08 GAS AND WATER MAINS**

#### **Sections:**

#### **13.08.010 Requirements for laying of gas and water mains and connections.**

### **13.08.010 Requirements for laying of gas and water mains and connections.**

**A. Water Mains and Connections Thereto.** All water mains in any street shall be laid with a nominal depth of cover of four feet and in accordance with the appropriate provisions of Connecticut Public Utilities Commission Docket #10300 Sec. 16-11-80. None of said mains shall be laid within four feet of the centerline of any such street unless the director of public facilities shall, upon written application therefor, allow a different location therefor. It shall be the duty of each person about to lay down any water main in any street to furnish the director with a map showing the proposed size, line and location, and such person shall obtain the approval of the director before laying such water main. Every person who shall lay any service pipe in any street from any water main shall place a stop-cock on such service pipe on a level with the existing grade at or adjacent to the customer's property line.

### **B. Gas Mains and Connections Thereto.**

**1.** All gas mains and connections thereto shall be installed in accordance with the requirements of Parts 191 and 192, Title 49, Code of Federal Regulations and Regulations of Connecticut State Agencies, Section 16-11 "Gas Companies Operating within the State of Connecticut" as either or both may be amended.

**2.** No gas main shall be laid within four feet of the centerline of any such street unless the director of public facilities shall, upon written application therefor allow a different location therefor.

**3.** It shall be the duty of each person about to lay down any a map and profile showing the proposed size, line location and depth of such main and such person shall obtain the approval of the director before laying such gas main.

(Ord. dated 12/21/92 § 75(f); prior code § 27-49)

## **Chapter 13.10**

### **THE CITY OF BRIDGEPORT ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD**

#### **Sections:**

**13.10.010 Purpose and intent.**

**13.10.020 Definitions.**

**13.10.030 Board.**

**13.10.040 Powers and duties of the board.**

**13.10.050 Bonding.**

**13.10.060 District properties.**

**13.10.070 Regulations by the board.**

**13.10.010 Purpose and intent.**

**In accordance with House Bill 7432, the city of Bridgeport hereby establishes the City of Bridgeport Energy Improvement District within and for the area more particularly defined as the municipal boundaries of the city of Bridgeport to be created and operated according to the procedures set forth in House Bill 7432.**

**The purpose of this chapter is to promote the planning, development, funding, acquisition, purchase, construction, reconstruction, improvement, extension or operation of one or more energy improvement district with a view to the increase and efficiency, reliability and the furtherance of commerce and industry in the energy improvement district. It is further to coordinate district activities with regard to such resources with relevant state, regional and federal agencies.**

**(Ord. dated 5/5/08)**

**13.10.020 Definitions.**

**In the interpretation hereof the following words and terms shall be taken to include the following meanings when context shall require or permit:**

**A. The term "board" shall mean the energy improvement district board created by this chapter and as more particularly defined in House Bill 7432;**

**B. The term "district" shall mean the energy improvement district, which shall be the municipal boundaries of the city of Bridgeport:**

**C. The term "energy improvement district distributed resources" shall mean one or more of the following:**

**1. Customer-side distributed resources, as defined in Section 16-1 of the 2006 Supplement of the Connecticut General Statutes;**

**2. Grid-side, distributed resources, as defined in said Section 16-1;**

**3. Combined heat and power systems, as defined in said Section 16-1;**

**4. Class III renewable energy sources, as defined in Section 16-1 and:**

**5. Microgrids, as defined in (H) below.**

**D. The term "Connecticut General Statutes" shall mean the revision of 1958, as revised and amended.**

**E. The term "ex officio" shall mean non-voting member.**

**F. The term "state agency" shall mean the State of Connecticut, any department of, or corporation agency, or instrumentality thereof, heretofore, of or hereafter created, designated, or established by the State of Connecticut.**

**G. The term "federal agency" shall mean the United States of American, and any department of or corporation, agency, or instrumentality thereof, or hereafter created, designated or established by the United States of America.**

**H. The term "microgrid" shall mean small, locally controlled electric systems interconnected with electric distribution company facilities.**

**I. The term "project" shall mean the acquisition, purchase, construction, reconstruction, improvement or extension of one or more energy improvement district distributed resources.**

**(Ord. dated 5/5/08)**

#### **13.10.030 Board.**

**A. The board of the district shall consist of five voting members. The voting members shall be electors or representatives of businesses located in the district, who shall be appointed by the mayor with the approval by the city council. The terms of the designated members shall expire as follows one on December 31, 2008, one on December 31, 2009, one December 31, 2010, one on, December 31, 2011, one on December 31, 2012. Thereafter, upon the expiration of these original terms, all the terms shall be for a period of five years. Any vacancy shall be filled in the same manner as the original appointment. The mayor shall be ex-officio member of the board. No member may serve more than ten consecutive years. The board members shall serve without compensation, except for reasonable and necessary expenses.**

## **Qualifications of board members**

**B. To insure that the members of the board have the highest knowledge of energy use and conservation, at least three of the members shall have education or training and three or more years of experience in one or more of the following fields:**

**Economics, engineering, law, accounting, finance, utility regulation, public or government administration, consumer advocacy, business management, and environmental management. At least three of these fields shall be represented on the Board by individual members at all times.**

**(Ord. dated 5/5/08)**

### **13.10.040 Powers and duties of the board.**

**The energy improvement district and energy improvement district board shall have all the powers and duties conferred or imposed on it by the Connecticut General Statutes, including but not limited to the sole authority to enter into contracts for the acquisition, purchase, construction, reconstruction, improvement or extension of one or more energy improvement district distributed resources. In accordance with House Bill 7431, the placement and use of plant and equipment necessary to operate and maintain one or more energy improvement districts are subject to the review and/or approval mandated by all applicable federal, state and local statutes, regulations, and ordinances, and conformance with those laws, including but not limited to laws enforced by the State Department of Environmental Protection, the Connecticut State Siting Council, and ISO New England.**

**(Ord. dated 5/5/08)**

### **13.10.050 Bonding.**

**The board in addition to the powers set forth in Section 13.10.040 above shall have the power to issue and secure bonds, and receive funds from the city of Bridgeport, as more particularly set forth in House Bill 7432. Any bonding by the board will require the prior approval of the budget and appropriations committee and the full city council.**

**(Ord. dated 5/5/08)**

### **13.10.060 District properties.**

**The properties included in the district shall be bounded by the municipal boundaries of the city of Bridgeport.**

**(Ord. dated 5/5/08)**

### **13.10.070 Regulations by the board.**

**The board may make and enforce any reasonable regulation which it may determine to be necessary relating to the facilities owned or leased by any individual or corporation, limited liability company, partnership, etc. within the district provided they are consistent with the laws of the United States, the State of Connecticut and the Charter and the Code of the city of Bridgeport.**

**(Ord. dated 5/5/08)**